G. R. S. 58]

Previous references.

1896-97.
~~191~~ .
(L. R.)

File No. 299 of 96.

Serial Nos. 1 to 10.

Later references.

LR 299 of 96 Sub. 1—13.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 10.

Part B for February, 1903.

SUBJECT.

Claim of Begadhar Bote Tapeswar to Compensation for land of his taken required by Govt in Baramatter Village, Chinnarajapur Taluk.

(Enclosed) Srinivasa Rajeev Hussain

Contemporaneous

W D 1351—GPE—30,000—18-12-15

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject. Petition No. 2 of 1892-93 addressed by Heggaddevankote Papanna to H.H. the Maharaja complaining of the delay of 16 years on the disposal of his claim for compensation for certain lands of his acquired in Fasli 1281 (Kaveri Project)

Note. The Secretary's file for early reference as to the present position of the case.

In his petition dated 12/3/1887 the petr complained that the Deputy Commissioner, Hassan had delayed the disposal of his claim for compensation for 127 acres of land in Gonamakoor Village, Channarayapatna Taluk taken up by Govt in 1885

This petition was forwarded to the Dy Comm[r] for early

---

* 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

† 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

disposal. A subsequent petition
dt 12/2/00 was also sent to
the Dy Comr, in continuation of
the first petn, for early disposal

From what the petitioner states, the
Dy Comr does not appear to
have disposed of the matter.
An urgent report on the matter is
now called for. J.R. T
Secretary Hyn 8/11/02
12/11

To the Dewan

7194
dd 12.11.02

8879
Awaiting the report of the
additional report is not
of much use - for compensation
of facts. cmcs
13.XI.02

Hyn
14/11

The Deputy Commissioner now forwards
a copy of his letter addressed by
him to the Revenue Commissioner

reporting on the petitioner's claim
for Compensation. It appears
from this report that, in the
Deputy Comm[r]'s opinion, the
petitioner's claim is grounded.

Sec[y]. 12/1/03

Since writing the above, the Revenue
Commissioner has forwarded the
Deputy Commissioner's report together
with the records. The report does not
show what action was taken by
the Deputy Commissioner on the
petitioner's claim put forward in
1894 and referred to in para 6
of the report. It however appears
from the records that the papers
were passing ~~between~~ between
the District and Taluk Offices
and that no reply was given to
the petitioner. In these circumstances

the Deputy Commissioner may be requested
to give a written endorsement to
the pet^r explaining the grounds
on which he considers the pet^r's
claim to be untenable.

Lee

26/1/03

837/
RD 13.2.03 This may be done, I think.

To the Decision

12/2

Submitted with the papers -
The matter does not
seem to have come up
in proper form.
The D^y Com^r has so far as he
is concerned dealt with the
claim and rejected it.
The Com^r may be
asked to bring the
claim as he has sent the
D^y Com^r's report without any
remarks apparently under
the belief that no action on
his part was called for
as the matter had been called
for by G^l Ord^r.

14. II. 03

5

Record of Case submitted for the orders of His Highness the Maharaja.

Subject.

339 Memorial of Papanna, of Mysore, claiming compensation for certain lands alleged to have been taken up by Govt.

Order.

May be sent to the Revenue Commissioner for disposal as suggested

~~K.R.M~~

16/2/03

419
of 17.2.03

Received no. 2 with endorsement from Petitioner

17.II.03

Docketed & not put up

HB 19/2

HB 19/2

19.2.03

Petitioner says that he belongs to Mysore Province but has property situate at Chikkaballapur

Taluq

Sub Division

Section R

Survey No 2350 36

Hissa No 1

1) Stamp sufficient

2) Date of endorsement produced 23/11/85
Date of receipt of appeal pet 17/3/97

Pet explains the delay of 11 years as due to the improper disposal of his pet by the Dy Commr in throwing him out of office and thereby putting him to great hardships and thereby putting him [illegible]

3) Application for payment of compensation for pet's land alleged to have been acquired 11 years ago

Inquiry as to the fact that the pet's personal claims to the land in dispute mentioned in the petition exist has been delayed up to date

Sd/- D. Committee
24/3/97

Rep H. Sastri
28/3/97

Sd/- illegible
28/3/97

Sd/- illegible
2/4/97

6

1897

No. 2818

Name of Petitioner Petition of the Inhabitants of Chikballapur

Village

Taluk Mysore

District

Date of Appl 12-3-97

Date of Receipt 17-3-97

Date of Disposal

No. of Enclosure 1

ABSTRACT.

States that in July 1885 the first petitioner acquired 12 acres of land worth Rs 12,000 and the Collector promised to give him 2 acres of land in exchange for it but has not done so. That since the 1st petitioner's death the petitioners the 2nd petitioner has been making representations to the Govt but no result has been obtained. That the petitioners not having received any answer to their petitions they have come to Bangalore to represent their case personally to the Govt.

the last [illegible] sent, until lead
can in the department - that he has also
served that the said is with the consent
above stated & that he has also shown
him the [illegible] 24-5-84 saying
that if [illegible] he would claim priority
of right - the [illegible] be required by keeping
confidential the actual receipt of
value of the neighbouring land - that the case
of Aiden above seven years ago - that the
case of [illegible] happen a year ago -
that the authorities away from right
home from [illegible] for the [illegible]
leaders, [illegible] case of the land
in line, the above land - that he has [illegible]
for [illegible] application of 11-12-85 and [illegible]
mark [illegible] 10-10-85 thereon - that he has
[illegible] the [illegible] of the [illegible].
Pray that on [illegible] all the facts the
case may be sent to him or that case
is [illegible] for [illegible] he may be granted
confirmation for it.

RK

23/4/- Translation by [illegible]'s
endorsement.

11 The 1st Sept 3 was sent to
the [illegible] for report. When his
reply is received, your pet 2
will be disposed of."

[illegible] 24/8/87

Pet 1495

Order

(2)

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

ection L R

le No 2295/96

rial No 2

OFFICIAL MEMORANDUM.

The accompanying Petition

Registered No. 2818 dated

received at the Dewan's Office from

Papanna & Hegadekonalli, praying

for payment of compensation

in commutation

for patta lands alleged to have

been acquired 11 years ago

is forwarded, together with its

enclosure, to the Deputy Commissioner,

of the Mysore District

for early disposal.

By order,

Draft

Asst Chief Secretary.

LOI.E,

189

M.G.C.P.E.—28-1-95—500

Section L.R. 1

File No 23896

Serial No 3

1900

No. 1807

Name of Petitioner

Village

Taluk

District

Date of Arzi 12-2-1900

Date of Receipt 15-2-1900

Date of Disposal

No. of Enclosure Nil

ABSTRACT

Reminder to the petition of 12-3-97 requesting that early orders may be passed in respect of the arrears of land revenue due from the petitioner for the Fasli 1306 in respect of the lands in Survey No. 223 of Kammasandra village, Hoskote taluk, which were granted to him on Inam tenure by the Mysore Government and which were resumed by the British Government under the Resumption Rules and restored to him on Sanad conditions under the orders of Government.

Reject
17.2.00

1900 /

Jo,
Ver Records for refers.

17/2/00

17.2.00

Petition Branch.

Petition Regd No: 2327/1234 March 97 for the claim for Fasli revenue due from Davy Mudrappa Hlo. The file relating to the arrears due from Davy Mudrappa Hlo is pending before the Secretary.

24/2/00

Jo,
Ver: Records for compliance

24/2

Rcd from Vers Records 26.2.00 (vide slip)

C/ Unstamped

(2) vide compliance

R/m to be returned for the present

28.2.00 Sent orders

Sd/-

Sd/- 1.3.00

1.3.00 May the file be kindly sent to me to see whether the Subsidiary Register is in the same as that of the present file.

Yes 1/3/00

Sd/- 1.3.00

Sd/- 1.3.00

Sd/- 1.3.

4

Pet. No 16078 12.

(3)

Subd with prev. repts

MEH

10.3.1900.

To Storrar & Co's
for early despatch

13/3/00

Rec'd: 14.3.00
HB.

Offer similar
quot. futures

HB 14.3.00

12 Pet 918 Pr

M0002 28398

19-3-1900

(4)

Section ORIG
File No 293/96
Serial No 4

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ Petition Registered No. 607 dated 12-2-00 received at the Dewan's Office from Rajamma, Wife Narasaiah of Sri Devaraja Shd, Mysore, praying for payment of Compensation for Site: lands in Siddaiah, Channaj nagar Village which were acquired by Govt in 1885 &c

is forwarded, together with its enclosure, to the Deputy Commissioner of the Mysore District, for disposal. Early

Pet 8/4/97
1495

Draft

By order,

for Secretary.

BANGALORE, 19/3/1900

Y.S.

14300

References

13

1902-03

No. 1163

Name of Petitioner Heggadevanakote

Village residing in Papanna

Taluk Chamarajpet

District Mysore

Date of Arzi 25.10.02

Date of Receipt 27.10.02

Date of Disposal

No. of Enclosure Nil

Section L B

File No 29,946

No 5

There are three copies of the same (ABSTRACT printed) memorial addressed to the Dewan first and the 2nd & 3rd councillors respectively.

The petr submits that a dry land in 12 acres of Commature village, Chamarajanagar Taluk were illegally annexed to Govt by the then Dy Comr Mr. Abdul Khader in 1885; that neither the said lands were restored to the petr nor compensation granted to petr as yet in spite

MGCPB—4,000—21-1-02

of his several representations
to the authorities; that
his case has been pending
since 16 years; that his
petn of March 1897 subd
to the then ~~chief~~ Secretary
fetched no reply; that his
petn dated 10.2.00 was
forwarded to the Dy Comr
for early disposal; that
no final orders have been
as yet passed by the Dy
Comr to whom he subd
several reminders.

Prays for early orders
in the matter as he is now
70 years old and his
case has been dragging
on for - ever 15 years.

By post registered
(with enclosures)
(printed) petitions to the
address of Commissioner

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REGD. No 11639
DATE 24-10-1932

(5)

From

Heggadadevankote Papanna,

Chamarajpet, MYSORE.

To

P. N. Krishnamurti, Esq., C.I.E.,
The Dewan of
His Highness the Maharaja of Mysore

1163

Sir, I beg to submit herewith for your kind consideration the full facts connected with a revenue case of mine which is pending disposal at the hands of the Mysore District authorities for over 16 years. That cases, however contested—and mine is not at any rate one of this nature—should drag on for such long periods as 16 years is only possible in Mysore. Successive Deputy Commissioners came and went in this period and still the case is undisposed. It is an old adage that speedy injustice is better than delayed justice; and in my case I should have been satisfied with any definite endorsement on my application instead of being kept in suspense for so many long years. I request you to give this your just consideration and order an early disposal of the case with due regard to justice and fairness.

1. In the year 1885, Mr. ABDUL KHADER, the then Deputy Commissioner, summarily and illegally annexed to Government 127 acres of dry land in Oommattur Village, Chamarajanagar Taluk, which was in my possession and enjoyment, having been granted me, by transfer, by Lt.-Col. J. DESARAJ URS along with other lands and which contained *Gobbali* and other trees valued over one thousand rupees.

2. When I represented that the land was not a Government one, but belonged to me, he said he was doubtful that such was the fact as it was situate in the *Volagere*, but was considerate enough to say that if I produced evidence to show that I was the rightful owner he would give back the land.

3. Accordingly I established my claim by means of documentary evidence. The Deputy Commissioner said he would issue orders, but unfortunately he did not survive long.

4. When Mr. T. ANANDA RAO succeeded him, I petitioned him and got the endorsement that it would take for him some time to dispose of my case.

5. I patiently waited for his decision for about 5 years and during that period I did not pay the assessment due on my lands.

6. In due course MR. ANANDA RAO went as he came, and was succeeded by MR. A. RANGASWAMI IYENGAR. I took my opportunity to explain the matter to him. He asked me to pay the outstanding assessment which had accumulated to a good sum, but I objected on the ground that I had no reason to pay it so long as I was denied the proprietary rights over it. I was pointed out however the fairness of paying for that portion of land which was still in my possession and I agreed to pay this.

7. In 1897 Mr. H. NUNJUNDARAJ URS, Assistant Commissioner, was deputed to demark the annexed portion and the portion still in my enjoyment and settle what sum was due by me for assessment. This was duly done by ~~him~~ Taluk authorities

8. The Taluk Amildar thereupon demanded me to pay Rs. 563—9—6 for the latter portion of land which I paid at once and in a lump sum. The assessment on the other portion *viz.*, Rs. 300, was shown in the accounts under remission column.

9. In the same year the survey operations commenced in Chamarajnagar. I petitioned the Survey authorities and they replied that as the Revenue authorities had annexed the land, the question of either compensation or proprietary rights could be settled by them only.

10. After the survey operations, the authorities noted the extent of my land as 92-20 acres in the *patta* granted me. The seeding capacity of the same according to the original *patta* was 11—4—13 candies while it was 16—12—0 candies according to actual possession. Calculating on this basis the extent of my land should have been 148—20 acres according to *patta* entries and 219 acres as per actual possession. Deducting therefore the extent noted by the survey authorities, 56 acres according to *patta* and 127 as per possession has been unjustly resumed in my case by the Government.

11. I applied to the Government to either grant me compensation for this shrinkage as per their Land Acquisition Act or to demark the boundaries afresh so as to include the excluded portion of land that was in my possession. This was sent to the Amildar for report.

12. When the Amildar began the enquiry I produced documentary evidence to prove the following facts:—

(*a*) Copy from Taluk records of the Inspection Report drawn after Government inspection of the same land in the year 1853 in which the seeding capacity of the land is put down at 11—4—13 candies according to the *patta* and at 16—12—0 candies as per possession held at the time.

(*b*) The *patta* granted by the Settlement officer giving me possession of only 92—20 acres. This clearly shows a shrinkage of the land in my possession to the extent of 56 acres according to the old *patta* and 127 as per possessions held previously.

(*c*) From the Amildar's endorsement of June 1897 it is evident that the land could be no one else's but mine. The *pahani* Report of the Taluk prior to Survey Settlement says that the *Volagere* had not been seeded that year and that the extent of the land was about 242 acres. In 1852 (this also prior to Settlement) the Inspection Report says 6—38 acres of land equal in seeding capacity to 0—10—3¾ candies had been immersed in water. This shows that the *Volagere* formed part of my lands.

(*d*) Between the years 1857 and 1862, the Oommathur tank was under extensive repairs. If my land really formed the *Volagere* of the tank, the authorities would never have allowed me an unmolested possession of it. On the other hand they would have done their best to see that all lands that in any way interfered with the tank had been exclusively reserved by Government. The fact that I was left unmolested by them finally establishes that my land need not be annexed or acquired by Government as forming the *Volagere* of the tank.

(*e*) Four endorsements by different Deputy Commissioners to the effect that if evidences were given, the possession of the land annexed would be given back. Facts (*a*) to (*d*) mentioned above clearly and finally prove that the proprietary rights over the land belong to me.

(*f*) The Land Aquisition Act of Government says that whenever Government takes possession of private or *hidavali* lands, it should pay owner as compensation the full value of the land calculated at the market rate of the adjoining lands. My claims for compensation are therefore valid in case the Government is reluctant to give back the possession of the land.

13. The Amildar's report together with all records were sent to the Assistant Commissioner.

14. I appeared before the Assistant Commissioner, Mr. K. RAMANUJIENGAR and requested him to dispose of my case in my presence that I might explain to him any intricate points not clearly put down in the Amildar's report. He did not condescend to do so and submitted to his superiors that my land was but a pasturage and as such deserved no compensation. When I appeared in person sometime after I was given the same reply.

15. I had therefore to go to Mr. C. MADIAH, B.E., the then Deputy Commissioner, to represent the above facts. I clearly mentioned that the Land Acquisition Act divided lands only into wet, dry and garden; but not as pasturage, cultivated or uncultivated. Mr. MADIAH was considerate and went through my case in my presence.

16. He questioned me after perusing the records why I asked for compensation only and if I would not be satisfied if the annexed land were given back. I said that as the survey authorities had shown it as Government *Kharab* I thought I would never get it back, but if it were given back with boundaries marked and all preliminaries settled I would be willing to take it and gave a written statement to that effect. Then the Assistant Commissioner was asked to give his opinion why the land should not be given back to me.

17. When I again went to the Assistant Commissioner he said he had sent the records to the Amildar and would decide the matter after receiving the Amildar's opinion.

18. The Amildar reported that it was not usual to give the lands that might be submerged under tank water to private holders, that ever since the land was annexed the Government was realising from the pasturage an yearly income of Rs. 50 or 60 which had then accumulated to about Rs. 300 and that if the land were given back the Government would not only lose the annual income, but would also have have to pay the above Rs. 300 to the owner.

19. In March 1897 I addressed the Chief Secretary to Government on the subject and got no reply. I therefore addressed him again on 10th February 1900, when I was informed that my application had been sent to the Deputy Commissioner for early disposal.

20. Since then I was reminding the authorities at fixed intervals until Mr. K. RAMANUJIENGAR appointed a day to hear me. The hearing did not complete in a day nor even 3 or 4 adjournments. At last in December 1901 I was asked to be present at the village when he, the Deputy Commissioner, went to Chamarajanagar for Jamabandy, when he said he would hear me out and settle the case. I waited there for 15 days, showed him the fullest evidences connected with my case, and the officer promised to decide it early. Unfortunately he has not given effect to his words till now.

21. Among the documentary evidences produced by me and appended to the records of my case there is a detailed list of accounts which shows that some of the adjoining lands left under my possession were sold at Rs. 100 to 80 an acre. Recently I have sold some more at Rs. 70 to 40 an acre. As the compensation of the annexed land is to be fixed at the value of the adjoining lands, it comes at the lowest estimate to over Rs. 5,000, for the land as per Rents; & the same for the lands in possession

22. I am forced to conclude that the unusually long time taken by the authorities to dispose of the case is to a great extent due to the large sum involved. Sixteen years have elapsed.

since the case was taken up on file and over 5 years since the Amildar sent his final reports. Still the case is undecided. Apart from the fact that a lage tract of private land containing extensive and valuable trees was at the twinkling of an eye annexed by Government summarily and unjustly, the harassing delay and worry to which I am subjected to a length of 16 years is only to be ascribed to my misfortune, if not to the shirking of responsibility among the officers of Government.

I would not have approached you at the present moment were it not for my failing health and strength which now assert their supremacy over me. I am now 70 years old and can no more afford to run after the officers at their camps and offices as I once used to do. My senses and vitality are losing strength. I now appeal to His Highness the Maharajah Sri Krishnarajendra Wodayar Bahadur of Mysore, His Excellency the Dewan of Mysore, Messrs V. P. Madhava Rao, C.I.E., and Sreenivasiengar, Councillors, the General and Revenue Secretary to Government and also to the Deputy Commissioner of Mysore to take compassion on me and have my case decided early with due deference to justice and fairness. I beg to add that I am perfectly willing either to get back the land or take the compensation due thereon at the market value of the adjoining lands, due consideration being given to the value of the trees that exist and existed on the land.

I beg to be,

Sir,

Your most obedient servant,

19

(9)

Office of the Private Secretary
to H. H. the Maharaja of Mysore.
Dated Mysore, 28th October 1902.

No. 600
Gen.

Section L. R
File No 299196
Serial No 6

Petition No. 505 dated 25th October 1902 from Heggadadevankote Papanna, Chamarajpet, Mysore, is forwarded to the Secretary to the Government of Mysore in the Revenue Department for early report as to the present position of the case.

By order,

I.C.S.

Private Secretary.

M.A.S.

Refer
29.10.02

Recd
31/10.

Under the petitioners

Petn reg. dated 25.10.02 from Rajamma, to be forwarded to the Secretary to the Govt Revenue Deptt for early report as to the present position of the case.

By order

(Sd) E Macnachie

D.C.S.

Private Secy to H.H.

1902.

No. 1202

Name of Petitioner Heggadevana Rajamma

Village

Taluk } Chamaraj pet

District— Mysore.

Date of Arzi 25.10.02

Date of Receipt 31.10.02

Date of Disposal

No. of Enclosure Nil.

Section

File No

Serial No

ABSTRACT

Memorial presented to H.H. the Maharaja praying for early settlement of the question of compensation due to him on account of 127 acres of his dry land in Caumathur village annexed to Govt in 1894

[N.B.] This is an exact copy of the memorial (Petn No 1163 of 02-03) already received in the office (a few days ago) direct from the petr.

MGOPE—1,000—31-1-02

4.11.02

20

Very highly

13

Section Pol
File No 2955/96
Serial No 7

13

The Secy, Mysore
Dl.

Pet 607 dt 12 November

Referring to this office
his Pet 56/4/97
1495
Pet 19/3/00
918
forwarding proposal
petition from Papanna
of Mysore praying
for compensation for
certain lands taken up
for him has the
honour to request

in Bhamragiri Nagar taluk

Hal' an immediate
report may be ~~sent~~
submitted as to how
the case stands at
present and that if the
case has not yet been disposed of an explanation
of the delay may be given

12/11/02

22. (15)

7135
1902 4 DEC. 1902 ct 421.
~~Ct 421~~

Section K.B
File No 245/55
Serial No 8

From H Ramachandrayya Esq
Offg Commissioner
Mysore D

To H.H. Ramachandrayya Esq m/f Mr
Secy: to the Govt: of Mysore
Rel: & Rev: departs

Dated 22 D
Despatched December 1902
Received
General No. 557
No.
Enclosure No. One

Submitting Copy of a letter addressed to the Revenue Commissioner in Mysore re Compensation claimed by Papanna of Mysore -

P/Sr
recd
22 7 02 containing reply
is putup

All
9-1-03.

Sub
All
12-1-03

2-3

Bhaunagar

Political Agent

No 551

Camp

Date Mhow 22nd December 1903

From

H. Ramanujacharya, Esquire

Bhaunagar,

Political Agent.

To

H. N. Nanjundaia, Esquire, M.A.

Secretary to the Government

of Mysore

Revenue & General Departments

Sir,

With reference to your docket No Pol 807 of 12th November last, forwarding for report as to how the case stands at present regarding compensation claimed by Bahamas of Mysore for certain lands alleged to have been taken away from him in the Bhaunagar State, I have the honor to submit herewith for information, Copy of my letter no 548 of the 22nd instant addressed

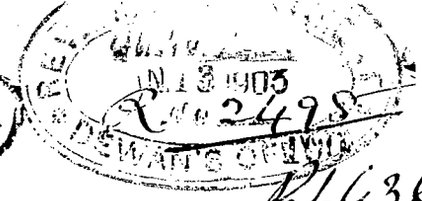
to

to the Revenue commissioners as impose
on the subjects

I have the honor to be,
Sir,
Your most obedient Servant

Offg Dy Collr Revenue
Dingle District

25



Pet 436

Section R. R
File No 2938/96
Serial No 9

From

The Rev: Commr
in Mysore.

To

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

Dated 12/1/03.

Despatched

Received

General No. 948
No.

Enclosure No.

Forg: for favour of order
letter no: 5483 22/12/02 in
original together with the
file of Ver: Taluk records
thereunto relating to the
petition of Pahamina of Mysore
re compensation claimed
by him for certain lands
alleged to have been taken
away from him in the
Channarayapatna Taluk

References to be marked.

Tabd.

The papers send to Se-
cretary to the Police Commr.
may then be transferred
to the Records as Papers
called for

Mica

1/1 Secretary to Police Commr.
Pet 421. [illegible] 2/1/03

Rc 918 26

OFFICE OF THE REV. COMR. IN MYSORE,
Bangalore... 12... January 1903...

FROM

V. P. MADHAVA RAO, ESQ., C.I.E.,
Revenue Commissioner in Mysore.

To

H. V. NANJUNDAYYA, ESQ., M.A., M.L.,
Secretary to the Govt. of Mysore,
General and Revenue Depts.

SIR,

I have the honor to forward herewith for favour of orders letter No.548 dated 22nd December 1902 in original together with the file of vernacular papers received therewith, reporting upon the petition of Papanna of Mysore regarding compensation claimed by him for certain lands alleged to have been taken away from him in the Chamrajanagar Taluk .

The report of the Deputy Commissioner under reference appears to have been made on a requisition from Government.

I have the honor to be

Sir,

Your most obedient servant,

For Revenue Commissioner

27

Dy Commissioners Office,
Mysore District,

No 548

Dated Mysore 22nd December 1902

From.

H Ramanujiengar Esqre
Dy Commissioner
Mysore District

To V. P Madhava Rao Esqre
Revenue Commissioner
in Mysore

Sir

With reference to docket no Pch 807 of 12th November 1902 from the Secretary to the Government of Mysore, General and Revenue departments, forwarding for report as to how the case stands at present in regarding Compensation Claimed by Rajamma of Nagara for certain lands alleged to have been taken away from him in the Channarayapatna Taluk, I have the honor to State as follows:—

The Inamdar Vanti Leeds or Valagere adda was given to gentleman Timmaraj Basavaiya, the ancestor of Lt. Colonel Desaraj Urs in 1821 by the Rajahs the late

Rakharaja Krishnaraj Vadeyar, but upon what conditions is not known.

3 In 1884 when the petitioner was agent to Lt. Colonel Desaraj Urs, he sold in the interests of the estate, the gobbale trees standing in the "Valagere also to one Nanje gowda

4 His individual applied for license to cut and remove the said trees, upon which some correspondence ensued and the D.F.S. to which a reference was made, fixed the contour line of the Doni also tank bed and the then Commissioner Mr. Abdul Khader forbade the cutting and removal of any trees standing within those limits. The following endorsement No. 67 dated 5.8.7 was communicated to Lt. Colonel Desaraj Urs.

"The land within the water spread of a Sarkar tank which has been marked out by the D.F.S. cannot form part of his Kavalu and if he has any proof

of the same, I shall be most happy to see the same, but in the meantime I would request him to be so good as not to trespass on the land and commit mischief but on the contrary respect official orders issued by the Amildar, as the Government portion of the tank bed has been given out on Kuthbani this year."

"5 In 1888 Sabanna (present petitioner) as agent of Lt. Colonel Devaraj urs' estate represented that the lands in dispute is the Valagere Adoo lands belonging to the estate and not the bed of the tank when he Ananda Rao, the then Commissioner, passed the following Order :-

" It is a well known rule, repeatedly enjoined and enforced that no proprietary rights can be allowed or recognised in lands which are tank beds or near tank beds. The extent of kharab recorded in the Jamabandi cannot therefore be allowed so as to prejudice the tank."

"Questions of measurements are best settled by the Survey Department."

"The Dy Commissioner's endorsement × to the Devaraj vrs Settles the matter for all practical purposes."

× No. 6 dated 2nd August 1885 above quoted.

6 In 1894 the petitioner purchased the Valagere adoo or Kowal from Lt-Colonel Devaraj vrs and put forth a claim to the Land in the Land Court once more relying in support of his contention upon the records named below:-

(1) An extract from the old chitta of 1818-19 and 1821-22 produced by the late Shanbogue Subbiah.

(2) The old Vallum Taris of 1844-45 and.

(3) Copy of Panimahi Palle of 1853

7. In the first of these documents, only the Survey of the Valagere Adoo is given viz, 31 3/7 Varahas. In the 2nd and 3rd documents, the aggregate Bijavari of the adoo as well as of the Dr dotakere Valagere of Land Land is given as 11-4-13 = 143.20 K. C. M. A. G. in 1844-45; and 16-12 = 219 acres in 1853 U C respectively. The petitioner tries to reconcile the discrepancy between the 2nd and 3rd documents

by explaining that while the former represents the Patta Bijavari, the latter represents the extent in his actual possession. It must be observed that the 3rd document is only a copy of the Samaishi patti of 1853. The original is missing and it does not appear under what circumstances it was prepared.

8. In the Survey Settlement which took place in 1894-95 an extent of A 92.20 G of land has been confirmed to the petitioner on dry assessment for grazing lands, the excess of 56 acres of land in the Patta Bijavari being included in the tank bed.

9 The Inamdari right, as need scarcely be observed, extends only to the grazing of cattle and no document has been produced to prove that the claimant for compensation had a proprietary right in the land. Nevertheless the petitioner asserts that the land forms part of his "Adas" or Kanal.

10 The Enquiry of Lt: Colonel Deasy was held both during that gentleman's ministry and for some time

afterwards, the petitioner will know the previous history of the case and how the claim to a portion of the tank bed had been negatived by the former Dy Commissioners. He subsequently purchased the adoo from Lt Colonel Desaraj urs and has been ever since agitating the same old claim without adducing any fresh evidence.

11 Under these circumstances, I do not see that the petitioner is entitled to any relief at all.

12 The earlier history of the case is fully given in the English precis of Correspondence marked A on the file of records herewith submitted together with Parwanah petition under reply.

I have &c.

(Signed) W. Ramanujiengar

Offg. Dy Commissioner

Represented

Copy

T. Ellis

Offg. Dy Commissioner

Represented

53 (17) P

1902

Encd 2-2-1903.

From

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

Section R.L.
File No 29996
Serial No 17

To

The Rev: Comr in Mysore

Dated 21-2-03.
Despatched 23
Received
General No. 1217
No. 07729-02
Enclosure – No. Petn & Ds letter & V Records

(1) Petn Rs from Date 25-10-02

(2) Letter No 57 & 22nd Nov 1902 from the Dy Comr Mysore together with a file of Ver: Letters received with the same.

Has the honor to transfer for disposal the marginally noted papers connected with the application of Regarde-devarukole pajanna of Mysore praying for the early grant of compensation for certain lands ~~taken~~ from him in Ommattur village, Chamarajanagar Tk which were taken up for

KW

B. O

for Secretary